

PATENT

Customer No. 22,852

Attorney Docket No. 3495.0193-00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Julien HAROCHE et al. ) Group Art Unit: 1652  
)  
Application No.: 09/628,693 ) Examiner: Yong PAK  
)  
Filed: July 28, 2000 )  
)  
For: DETECTION OF A GENE, vatE, )  
ENCODING AN )  
ACETYLTRANSFERASE )  
INACTIVATING STREPTOGRAMIN )  
(AS AMENDED) )

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**DEPOSIT DECLARATION**

I, Danielle Berneman, do hereby declare that:

1. I am a citizen of France.
2. I am the Head of the Patent Section of the Institut Pasteur in Paris,

France, to whom this patent application has been assigned.

3. On information and belief, plasmid pIP1801, disclosed in this application, was deposited on July 7, 1999, under the provision of the Budapest Treaty at the National Collection of Cultures of Microorganisms (C.N.C.M.) in Paris, France, and assigned Accession No. I-2247.

Application No. 09/628,693  
Attorney Docket No. 3495.0193-00


4. On information and belief, the C.N.C.M. has acquired the status of International Depository Authority within the meaning of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of the Patent Procedure.

5. Said deposits have been made under conditions that ensure that access to said deposits will be available during the pendency of this patent application to one determined by the Commissioner of Patents and Trademarks to be entitled thereto under 37 C.F.R. Section 1.14 and 35 U.S.C. Section 1.22.

6. No later than issuance of a patent on this application, Institut Pasteur will irrevocably remove any restrictions as to public availability of said deposits except as permitted by 37 C.F.R. Section 1.808(b), and will replace said deposits should it become nonviable, during the period that extends thirty years from the date of the deposits, or the period of the enforceable life of the patent, or the period of five years after the last public request for the deposit, whichever period is longest.

I further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 12<sup>th</sup> day of November, 2002

  
Danielle Berneman  
Head of Patents and Inventions  
Institut Pasteur



INSTITUT PASTEUR

Danielle BERNEMAN  
Chef du Service des Brevets